

## THE TRIBUNE.

TUESDAY MORNING, AUGUST 24, 1841.

Extra Copies of yesterday's Tribune, containing the Bankrupt Law, may be obtained at the office.

Our readers will have read with interest an error in the Editor's paragraph in our last issue, where the Bankrupt bill was said to go into operation on the 15th of February. The bill itself, a few lines above, distinctly specifies the 1st of February.

For an interesting Letter from Rochester, and a variety of other Intelligence, see First Page.  
For a Letter from Iowa, and other Miscellaneous, see Last Page.

The new Fiscal Agent proposed by Mr. SEBASTIAN in his essential features suits us exactly. In the extent of its capital and the character of its business, we believe it eminently adapted to the wants of the Country. And yet we have deep forebodings of its failure to become a law, and of a long train of disasters to follow that failure. The strange language of Mr. GILMER on Friday, of Messrs. PROFFIT and WISE on Saturday, and the course of Messrs. BERRIES and ARCHER on the Land bill, fill us with apprehensions of new difficulties—we had almost said new treacheries. Mr. WISE objected to an Extra Session last Spring that it would precipitate the question of a Bank, and probably defeat the measure—a result which he deprecated, being earnestly in favor of a Bank! And now where is he? Opposing this and every other leading measure of the Session, no matter what shape it may assume. He will vote for no Bank nor any thing else that the great mass of the Whig party desire. And Mr. GILMER has the audacity to tell the House that the proceedings of a Loco-Foco Meeting in Louisiana Co. denouncing all the measures of the Extra Session are in accordance with the views of the Administration proper at the other end of the Avenue (White House), but not of Administration proper at this end! And so a Whig Congress, Whig Cabinet, and Whig People, it seems, have no part in a Whig Administration!—And then Mr. ARCHER dares to tell the Senate that if a most extraordinary rider is not put upon the Land bill to suit his Anti-Tariff notions, the bill cannot become a law!—How many more Vetoes have these gentlemen in store for us? What farther and more mortifying indignities is the Whig party fated to endure from its professed friends and trusted agents?

In times like these, Silence is probably the part of Prudence, but hardly that of Honesty. We are prepared to bear and forbear much without complaint, but we shall not tamely see all the wishes and just expectations of the People blasted. Perhaps a few days will give a brighter aspect to the Political horizon.

**THE NEW BANK BILL.**—We have a long letter from our correspondent 'Stranger,' giving an interesting history of the Bankrupt bill, which was crowded out yesterday by the bill itself. We make room for what he says respecting the new Fiscal Agency bill. Writing in the morning of Friday, before the bill was introduced, he says:

"Its final passage this session is somewhat doubtful. The probabilities of its becoming a law, however, can be much better judged after it is introduced. I was lucky in guessing about the Veto, you will permit me, I hope, to guess about this after it takes form. The union of the Whigs to the sake of the Union," is the actuating principle here now. Differences do exist; the Veto was the result. Its effect here has been good rather than otherwise. A hazard will not be again attempted, from all appearances. The Whigs are united, and hereafter will attempt none but a sure thing.

The Speeches of Messrs. CLAY and RIVES yesterday were each worthy of its author. Mr. RIVES appeared well, and made a powerful argument, which was listened to with intense interest. Mr. CLAY commenced the battle. Mr. RIVES followed, and then Mr. CLAY, in his rejoinder, was most wonderful in the exhibition of his powers as an orator. No description can touch it. It will read beautifully, but reading and delivery by Mr. CLAY himself are very different matters. Only Messrs. CLAY and RIVES spoke upon the subject. Although both spoke warmly, to-day all is smooth, calm and business-like, with the American Congress. Should the Currency bill have a good prospect of becoming a law, Congress will continue into another week. Should the reverse be apparent upon the introduction of the bill, next week we terminate their labors.

Yours, A STRANGER.

P. S. Mr. SEBASTIAN has introduced the currency bill, just now into the House. Its title is "Fiscal Corporation." The prospect is that it will pass the House, but the views Senators may take of it, can be better judged in a few days. A general good feeling seems to prevail.

**THE MURDER OF MISS ROGERS.**—The murder of this unfortunate young lady is still wrapped in mystery as to the time when the place where, and the circumstances under which the bloody deed was done; and although suspicion was permitted to settle on some individuals, and arrests made and examinations instituted, with a view to fix the guilt on the guilty author, yet the murderer still remains concealed from the eye of man, and the names of the murdered girl remain unappealed—her blood unatoned. The efforts of the Police, which have been unremitting, have been continually misdirected. The persons suspected have, without exception, been acquitted of the suspicions entertained against them; and no one has been found who saw the young lady after she left her mother's residence on the fatal day, notwithstanding the searching inquiries that have been made. Speculative opinions have been advanced by some that the girl has not been murdered; that the body found was not sufficiently identified as hers; and that her sudden disappearance is owing to some other cause than death. The proof of her identity, however, particularly by means of her clothes, is sufficiently established in the minds of the municipal and Police authorities, to dissipate the seemingly delusive hopes of her surviving. And although incredulity may still disbelieve, and fancy conceive that she is not numbered with the dead, yet the evidence is satisfactory to our mind that she has been brutally murdered; and that time, the revealer of secrets, will yet bring the authors of the horrid deed to light. A foolish story was yesterday started that she had returned to her home and friends; but no one could tell how or whence the rumor came abroad, and it was almost universally believed to be a hoax, or some device of an enemy to put the authorities off their guard.

The Loco-Foco Standard very modestly advises a Whig President to Veto every measure of a Whig Congress, turn out his Whig Cabinet, and fill their places with Loco-Focos. The Herald—late so sickening in its adulation of Mr. WEBSTER and his colleagues—now clamors for their dismissal. How can the President hesitate to adopt the counsel of such advisers?

**DEATHS IN NEW-YORK.**—The City Inspector reports the deaths of 33 Men, 74 Women, 74 Boys and 81 Girls during the past week—in all 224 persons. Of these, 52 died of Cholera Infantum, 15 Consumption, 11 Diarrhoea, 13 Dysentery, 17 Dropsy, 6 Drowned, 12 Fevers, 25 Inflammations, 3 Intemperance, 3 Small Pox, and 6 Teething. One was over 90, three were over 80 years of age. 174 were natives of the U. States, 28 of Ireland, 7 of England, 1 of Scotland, 2 of France, 4 of Germany, 2 of Holland, 1 West Indies, and 5 unknown. 10 were blacks.

**CITY PRISON STATISTICS.**—During the week ending on Saturday morning there were received into the City Prison 113 white men, 57 white women, 19 black men, 13 black women, total 202. Discharged during that time 115 white men, 46 white women, 15 black men, 11 black women, total 187. Died 1 black woman. Remaining in prison 21 white men, 21 white women, 12 black men, 3 black women, total 122.

## THE VETO POWER.

To the Editor of the Tribune.

The merited might and influence which your paper has derived from the general soundness of its doctrines, render the utterance of any heresy through its columns the more dangerous, and the refutation of such heresy the more necessary. In your article of Wednesday, 18th inst., on the "President's Veto" you hastily, I think, assume that the President as an integral portion of the Legislative Power, is, in his construction of the Constitution, independent of any previous adjudication by the Supreme Court. The sound (and indisputable) doctrine I take to be this: The Constitution declares that in all questions arising under its provisions the Supreme Court shall decide (Art. III, sec. 2). It necessarily follows that when any constitutional principle is in question, the decision of that Court shall be final and binding, and that the principle, thus settled, shall be as imperative and unquestionable thereafter as any other provision of the Constitution about which there has been no dispute. The adjudication becomes and is a provision of the Constitution and is declared by the Court (which is the expounder of the Constitution and which is declared to be such expounder by the Constitution itself) to be the meaning and only construction of the Constitution (Art. 6, sec. 2), and to be "THE SUPREME LAW OF THE LAND." If the Constitution is thus ascertained and declared, is unacceptable to those who have made it, (the people,) the mode of its amendment is distinctly provided (Art. 5).

The powers of the President are enumerated (in Art. II, sec. 2) and among them is no judicial power, or right to reverse or overrule the decisions of the only tribunal which the Constitution itself recognizes. On the other hand the President's oath of office (Art. 2, sec. 3) is that he "will faithfully execute the office of President of the U. States, and will to the best of his ability, preserve, protect, and defend the Constitution of the United States." What is or is not the Constitution, may be a fair question for his mind in doubtful cases where no adjudication has been had, according to the provisions of the Constitution itself, but surely not afterwards. Any other principle would make it equally incumbent on him to refuse, as the Executive officer, to carry into effect any existing law, the constitutionality of which had been settled by the Supreme Court. If you say he ought thus to refuse, then it follows that every Sheriff (who is the Executive officer in his own County) might refuse to execute process or perform other official duties, because his notions on constitutional points differed from those of our own Supreme Court, and this would be an end of all government. It might be very pleasant for Sheriff Hart of New-York, or Sheriff Striker of Kings Co. thus to prove his "consistency," but it would be very unsafe for your rights and mine. These Sheriffs, be it remembered, have taken the same oath to support the Constitution of the United States that President Tyler has.

If you admit that I am correct in these positions, (and if you deny that I am so, then the argument in detail will, I fear, be too long for your columns.) it follows, I think, that your conclusions in the following passage are unwarranted:

"The fact that the House, the Senate and the President had united in pronouncing a certain Bank necessary in 1816, was held by the Supreme Court to be unconstitutional, and that the Bank was necessary, and therefore Constitutional, in the existing circumstances of the Country and of the Government. But does this establish that a similar or a different Bank is necessary in 1841, so peremptorily that the President is not at liberty to consider the question? We think one necessary, and hence Constitutional, but not because of the judicial decision twenty odd years ago. But the doctrine which makes the President's approval of bills which have passed Congress a matter of course, wherever kindred acts have been done by Congress, is a doctrine which the Supreme Court has pronounced unconstitutional, and which, if applied to itself, or conceded in its application, is to our mind clearly at variance with the Constitution."

If by this you merely mean that the question of present necessity—the mere question of fact—is one in reference to which the President may dissent from Congress, I agree with you; but if, as is inferable from the general scope of your remarks, you mean that the President may refuse to sign a bill because such a bill is unconstitutional in his opinion, (the necessity existing,) notwithstanding the decision to the contrary by the Court, then I must respectfully dissent. The Supreme Court never undertook to decide upon the question of NECESSITY, but regarded the finding of Congress on that point conclusive. They merely decided that it was competent for Congress to incorporate a National Bank, with power to establish Branches. The Loco-Foco argument is, that (notwithstanding the decision of the Court) it is not competent for Congress so to do. This decision was given in the great case of *McCulloch vs. the State of Maryland*, 4 Wheat. Rep. 316, and the conclusion of the decision is in these words:

"After the most deliberate consideration, it is the unanimous and decided opinion of this Court, that the act to incorporate the Bank of the United States is a law made in pursuance of the Constitution, and is a part of the supreme law of the land. The Branches proceeding from the same stock, and being conducive to the complete accomplishment of the object, are equally constitutional. It would have been unwise to locate them in the charter, and it would be unnecessarily inconvenient to employ the legislative power in making those subordinate arrangements. The great object of the Bank is prescribed; those details require Branches, and the Bank itself may, we think, be safely trusted with the selection of places where those Branches shall be fixed, reserving always to the Government the right to require that a Branch shall be located where it may be deemed necessary."

The elaborate decision, of which this is the conclusion, pronounced in this case by the illustrious Chief Justice MARSHALL, is an entire refutation of the whole Loco-Foco doctrine; and if your space will permit its republication, your readers would, I am sure, be grateful for the instruction which its convincing argument carries with it.

I am aware that your remarks in the present case are intended mainly to show that the Constitutional right to establish a National Bank (resting not on an enumerated power conferred by the Constitution, but on the general authority "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers," (Art. I, sec. 8) rests on the question of "necessity," and that the President may judge of the "necessity," as well as the two Houses. But the general idea conveyed by your remarks above quoted in italics, (as well as the main scope of the President's Veto Message,) goes further, and seems to justify the radical doctrine to an extent which I think you are unprepared for.

You certainly are right in saying that the quibbling *Compromise Section* is put by President Tyler "to a sleep that will be everlasting." It is true, as is also the fact that a weaker argument could hardly have flowed from the pen of any man than that in which he distinguishes between a bank for discounts and one for exchanges. As though the purchase or sale by the Bank of a bill drawn by a man residing in Wall-street or one in Jersey City was any less a local discount than a note made by the same man in Wall-street and endorsed by one on Harlem. ANTI-TRANSCENDENTALIST.

He is not "a portion of the legislative power." Art. I declares that "all legislative power herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives." Art. I, Sec. 7 provides that the President shall sign bills if he approve, but if not, that he shall return them with his objections, &c. The distinction is, to be sure, verbal, but may as well perhaps be observed.

Remarks by the Editor.

As our correspondent fully admits all that is necessary to establish the correctness of our essential position, we have little objection to giving up the ground we do not need. Our position, it will be remembered, was this—that, because the Congress and President of 1816 decided that a Bank was then necessary, and the Supreme Court decided that it had no right to scrutinize or go behind this decision, but must assume the necessity, and therefore pronounce the Bank constitutional, it did not inevitably follow that a Bank is now necessary, and therefore constitutional, while the President on both points thinks otherwise. If, in the progress of Society, a time shall come when Banks shall be altogether superseded by something still better, it will be evident that a National Bank, being no longer essential or useful, will not be constitutional, and the decision of the Supreme Court, being no longer applicable to the existing state of things, will not be conclusive in any case subsequently arising. This being admitted by our monitor, establishes our point—viz: that President Tyler had a right to decide for himself whether a Bank would or would not be constitutional under the circumstances actually existing. His decision we do not concur in; but his right to make it is not the less clear.

But our friend is quite right in his inference that we are radically, resolutely hostile to the doctrine so elaborately and ably maintained by him, that a decision of the Supreme Court on a disputed constitutional point becomes part and parcel of the Constitution. This raising the traditions of the Church to a level with the Revelation on which it is

founded, is in our view a more pernicious and dangerous doctrine than the opposite heresy of Gen. Jackson, that an Executive officer ought only to enforce such laws as he shall individually deem constitutional. In the latter case, you have anarchy instead of government and order; in the former, you have a government of black-letter prescription and judicial presumption, utterly independent of popular control; in neither case a constitutional Republic.

The Supreme Court is the ultimate legal arbiter in all cases of disputed constitutionality; this is certain. Its legal infallibility grows out of the necessity of the case; there must be some tribunal to determine what acts are and what are not constitutional, and therefore legally binding. Every good citizen is bound to obey the laws as that Court interprets them. But is he bound to coincide in such interpretation? Must he think the Supreme Court right? Is the accident that a Judge dies in 1840 instead of 1841, so that his place is supplied by a Peter V. Daniel instead of a Chapman Johnson, to settle on an important point the Political construction of the Constitution for ever, just contrary to what it otherwise would have been? The same prominent Statesman pronounces a Bank constitutional in 1830 and unconstitutional in 1840. Shall the accident of his being called to decide as a Judge at one rather than the other of these periods settle what the President or any citizen must believe to be the true interpretation? The supposition is monstrous.

Congress passes a law, the President approves it, and the Supreme Court pronounces it constitutional. As good citizens, all must obey it, and President Tyler must enforce it, no matter what are our individual opinions, because a contrary course would destroy all security, all uniformity in the operation of the laws, render the President a Dictator, and the laws the mere puppets of his will. He must enforce a law while it exists, though in his individual opinion it be clearly unconstitutional; even though he may so have pronounced in returning the bill with objections; but should it expire and Congress attempt to re-enact it, he may properly say—may, he is bound to say—"I cannot approve this bill; I believe it unconstitutional;"—no matter if all the Courts in the world said otherwise.

If our friend do not recognize any distinction between the President, acting as a mere Marshall or Sheriff in enforcing the laws, and the same officer examining a bill which has passed Congress to determine whether he ought to approve or return it, we differ radically. We certainly do differ as to the extent to and the manner in which Judicial decisions affect the Constitution. As a citizen, we shall always respect and conform to every decision of the Supreme Court; but as a voter, a thinker, or, if so called to act, a legislator, we could never consent to take the Constitution at second-hand, overlaid and encumbered with judicial decisions. We should look for its meaning in its provisions, and accept other men's opinions, judicial or critical, merely as lights to aid us in understanding the text, but in no case as standing between our reason and the text itself.

The Constitution says that "the Supreme Court shall have jurisdiction in all cases arising under it," &c. Let us stick to the letter. Our friend uses other terms, which to him mean the same; to us they seem to enlarge the scope.

Let us illustrate our point: Suppose Congress in 1834 had passed a law levying for four years a Direct or Poll Tax of One Dollar a head on every person in the Union. Mr. Tyler is in Congress and protests that this law is clearly unconstitutional—the Constitution prescribing that all taxes shall be levied in the ratio of Representation or Federal Numbers. But he is outvoted; the Court sustains the law, and during its existence he is chosen President. What shall he do? He must clearly enforce the law, in spite of his own opinions. But the law expires, and Congress reenacts it. What now? Is he obliged to sign it? Is his own conviction stifled by the decision of the Court? Not in our judgment: he may now properly say, "Gentlemen, your bill is in my opinion unconstitutional, and I return it unsigned."

As to publishing Judge Marshall's Opinion, we wish we had room for it; but how does it bear on this question? Our correspondent thinks a good National Bank Constitutional and desirable; so do we. The point of difference is the right of Mr. Tyler to think otherwise and to act upon his conviction, notwithstanding the decision of the Court; and this point is not touched by Judge Marshall.

We are crowding our space, and must leave unanswered our friend's deductions from the constitutional provisions he has quoted. His assertion that the President is no part of the legislative power, seems to us to carry rather a technical cavil than a substantial assertion, in view of Art. I, Sec. 7, of the Constitution. So his illustration of the substantial identity of a Bank of Discounts with one of Exchanges strikes us as taking a very narrow and unfair view of the subject.

We need a National Bank, as we all say, not to lend money where State Banks will not, but to give us a Uniform Currency and cheap, equalized Exchanges. If we had one in this City which would buy or collect all good drafts or notes payable at a distance for one per cent. or less, sell drafts at fair rates, and give us notes at its counter which would pass current in any part of the country, could we not do very well? What more would we want? Now the President argues that the power of ordinary Discount is not necessary to such a Bank as the country needs, while the power of buying and selling exchange manifestly is. He may be wrong in this; but our friend's argument does not touch his position; it only goes to show that the inhibition of Discounts might be evaded. We would better decide on that point after seeing the bill passed.

—And now if our friend desires to enter upon a crusade against the Veto Power, as it now exists, we are with him, heart and hand. It is an anomaly in our system—anti-republican, savoring of despotism, and extremely liable to accidents and abuses. We should rejoice to see it so amended that, whenever a majority of all the Members elected to each House shall pass a bill which the President has disapproved, it shall nevertheless become a law. We trust an amendment of the Constitution to this effect may be strenuously urged and speedily adopted.

Mr. RICHARDSON, to whom the subjoined recommendation from the Boston Daily Advertiser refers, has opened rooms for instruction in book-keeping and penmanship, at No. 23 Broadway. We have from a competent source of criticism in Boston, strong assurances of Mr. R.'s capabilities, and we wish him success, and the more because he follows his profession for a living, and not a speculation, and charges accordingly.

To all who are desirous of learning, and improving in the art of penmanship, we take this opportunity of recommending Mr. Richardson. He is a patient and indefatigable instructor, and the success and encouragement he has already met with during his residence in this city, are a sufficient testimony of his skill and merits as a teacher, and of the estimation in which he is held by the public. However much may be advanced and affirmed by some, that the art of penmanship can be taught, as it were, in an instant and without labor, we believe that the only way to acquire it is by the proverb "Labor omnia vincit" is more applicable. It is only by perseverance and attention, under the care of a skillful and successful instructor, that one can learn to write easily and well.

We refer our readers to Dr. Felix Goussard's preparation for sporting the hair. He calls it "Poudre Subtile," or "Penetrating Powder," and there is no mistake about the fact that it utterly destroys the roots of hair, and leaves the place where they have been not only free from the hair, but so that the whiskers grow all over their ever existed. To gentlemen whose whiskers grow all over their faces, this is a great discovery, and to ladies who are prone to the indication of mustaches, (as many are) a box of Dr. G's powder would be worth far more than its weight in gold. (Sunday Times.) The above Powder is to be had no where else in New York City, at Dr. G's exclusive office, 67 Walker-street, one door from Broadway. \$1 per bottle.

[From the Courier and Enquirer.]

Chapman's Metallic Bone and Razor Strip is much commended by the inventor, and from a trial of its virtues, we admit that he has some reason to "crow" over it. Manufactory 102 William-street.

**THE EXPLOSION AT SYRACUSE.**—Yesterday we published from a correspondent an account of the terrible explosion and loss of life at Syracuse—on Saturday last. Extras from the offices at Syracuse have since reached us, giving further details of the afflicting event which has literally filled the village with mourning. They swell the number of killed to thirty, and of the wounded to forty. Among the killed are the following persons, in addition to those whose names we have already published, viz: Mr. B. Close, Samuel Bates, G. Gorman, Charles Miller of Pompey, Mr. Gilson, S. M. Barker of Lodi, and three blacksmiths, names not ascertained. Of the wounded, a slip from the office of the Onondaga Standard contains the following names: in addition to those inserted in yesterday's paper, viz: W. Durant, David Myers, Robert Armstrong, Myron Jacobs, David Wheeler, Mr. Gilbert, John Conklin, Miss Elliston, Henry Hoag, Mr. Appleton, L. W. Bennett, D. Brown, Lewis Smith, Thomas H. Ostrander, B. L. Higgins, E. Rosebrook, Orson Putnam, P. Lowe, John Burns, Thomas Roe, Mr. Martin, Mr. Collins, Eliza Jones, a son of Mr. Austin, Lewis Corbin, Phillip Holkins.

At a meeting of the citizens on Saturday afternoon it was recommended that the funeral services be held at the different Churches in the Village on the day following, (Sunday) and that the remains of the killed be conveyed to such houses of public worship as their friends might select.

The Journal Extra gives the following additional particulars. We understand windows were broken by the explosion, as far as Salina. The noise was very plainly heard at De Witt, four miles east. The number of kegs of Powder, which exploded, were about 25.

Our correspondent 'STRANGER' writes us from Washington a history of the progress of the Bankrupt Bill, for which we regret that, in these crowding, stirring times we have no room. It does justice to the earnest, single-minded advocacy of President TYLER, by whose Special Message the subject was brought within the rules of the Session, and the zealous, determined efforts and judicious management of Hon. DANIEL D. BARNARD, by whom the bill was piloted through the tempestuous and difficult navigation of the House. Beside these, credit is especially due to Mr. HENDERSON of Miss, who introduced the bill, Mr. BARRIS of Ga. who reported it to the Senate, and, even with the foremost, to Hon. N. P. TALLMAGE, who through three years has been untiring, and most efficient in his advocacy of the deliverance of those held in the bondage of hopeless Debt. Others have been like indefatigable; among them Hon. S. M. STUWELL of this City. Let all who have participated in this good work be fitly remembered.

We trust all our City friends take care to patronize the CHEAP CASH ORNAMENTS when they ride. They should make a point of so doing. To the rich, the difference in price is not an object, but it is to others, and for their sake the affluent should mind this matter. The tickets were by the wholesale price you lost again by losing tickets, so it came to about a shilling a ride after all. Then you generally found that the line whose stage you had got into "didn't take them," or it was after dark, or something or other was the matter, so you would find yourself out at the elbows when you had relied on the tickets, and perhaps had no change by you. Now take your ride, pay your sixpence, and there's an end of it, without annoyance or vexation. If our citizens will but act for the public good and their own, we believe the ticket nuisance and slippery prices will be abandoned within a month.

**STRANGE ACCIDENT.**—Same inquiry is called for into the manner by which a man came to his death on Saturday the 14th at the rear of No. 22 Rosevelt-st. while in the act of correcting a noxious leakage of gas in the gasometer located there. The man was interred the next day without the examination of a Coroner. The circumstance as worthy of inquiry.

**MAD DOGS.**—We are informed by an officer that on Sunday 11 mad dogs were killed in the neighborhood of the Third Avenue, and between 17th and 21st streets, after they had bitten a horse, cattle, swine and several dogs. No man, woman or child was bitten as far as we were informed. Great alarm was, however, excited by the appearance of these dangerous animals in the neighborhood.

**BOUND OVER—HEAVY DAMAGES.**—Yesterday George Browne, with a half dozen allies, was committed by the Mayor, in default of giving bail in the sum of \$9000, on the charge of breaking into nine several rooms in this city.

[Phil. Gazette.]

**FRANKLIN BATHS.**—These salt water Baths have maintained through a long and capricious season, the reputation for comfort, neatness and good order, with which they embarked on the tide of public opinion. Hence, there is no diminution of any of those attentions that distinguish the first essay of an enterprise of peculiar advantage to the citizens generally, and to the invalid and weakly particularly. This is the reason to enjoy the benefits of bathing, and no where can they be more comfortably enjoyed than at N. Thomas' Baths—made to suit all sizes and sexes.

## City Intelligence.

Remoted for the New-York Tribune.

**UNITED STATES COURT.**—Attempt to make a recit—John Paddy, James Williams Alfred Base, Elijah Johnson and Henry Thomas, seamen on board the American barque Ranney, were yesterday arrested by the United States Marshal, charged with an attempt to make a revolt on board, and with the seizure of the cargo from Stockholm to Philadelphia, and the taking of the captain, and refusing to do duty during part of the voyage. They were committed for examination.

**CORONER'S OFFICE.**—The Coroner yesterday held an inquest at the City Hospital on the body of William Cooper, aged about 46, a native of England. The deceased was a stranger, had stopped for two days at French's Hotel in Catherine-street, drank on liberally, and on Saturday a little after noon, while sitting on a string-piece of the dock at the foot of Catherine-street, fell into the water but was rescued in about two minutes and greatly exhausted. After taking a glass of brandy, and sitting a while on a cart, he was conveyed to the hospital at two o'clock, still partially inebriated, and just recovering from a state of apoplexy, and could not give any satisfactory account of himself. Dr. McKee discovered that he was laboring under congestion of the lungs and he was treated accordingly, but died about 11 o'clock Sunday morning. In the examination after death, the lungs and brain were found congested, the aorta diseased and the liver that of a brandy drinker. Verdict, died of congestion of the brain and lungs produced by intemperance in wine, having fallen into the dock at Catherine slip, while in a state of inebriation on the 31st instant.

Also at the house of Robert Taylor, corner of Clinton and South-st., on the body of James Rowke, aged 15, a native of Ireland. The deceased fell from the roof of a building about 10 o'clock on Saturday night, and proceeded to the foot of Clinton-street, East River, where he was supposed, while lying. A man named Hogan saw him fall, and rescued the master of the ship Alfred, who prepared to rescue him with a boat, but the deceased sunk before it could reach him. Dr. McKee discovered that he was laboring under congestion of the lungs and he was treated accordingly, but died about 11 o'clock Sunday morning. In the examination after death, the lungs and brain were found congested, the aorta diseased and the liver that of a brandy drinker. Verdict, died of congestion of the brain and lungs produced by intemperance in wine, having fallen into the dock at Catherine slip, while in a state of inebriation on the 31st instant.

**POLICE OFFICE.**—Plundering a sugar cake—A man named Lewis Gorman was arrested by watchman Wheaton at 3 o'clock yesterday morning, with a handkerchief full of loose sugar that appeared to have been pilfered from some exposed cake, and being suspected of stealing it, he was taken to the Police Office. He was lodged in the watch-house on Sunday night, charged with being drunk and disorderly in the street, and using indecent and abusive language. For this they were yesterday morning fined \$2 each and costs, and in default of payment, were committed.

**Violence and indirect Robbery.**—Yesterday, John Farrell, of the 10th Avenue and 17th street, while sitting in his beer and meat wagon, in Anthony-street, near the Five Points, was surrounded by a band of rowdies on one of whom, named James McCreedy, seized him by the collar and tried to drag him out of the wagon in order, as he said, to fight a fellow there present only "two rounds." On his refusing the honor of a beating, and requesting McCreedy to desist and let him alone, but he would not. The other man in the wagon then tried to drive off and get clear, but McCreedy and the others got hold of the wheel and held it, so that it was only after Farrell had given McCreedy \$500 to let him go, that he was able to escape. He was then lodged in the Police Office and officer McMahon having arrested McCreedy he was committed to prison in default of \$500 bail.

**For This Week Only.**—Daguerreotype Likenesses taken in a superior style, in a few seconds, at the N. E. corner of Broadway and Park Place, for \$3, (including case.)

## POSTSCRIPT.

By this Morning's Southern Mail.

**FROM TEXAS.**—By the steam ship Kingston, which arrived yesterday evening in forty hours from Galveston, we have received papers to the 7th inst.

Two bales of new cotton were received in Houston, on the 29th ult., from the plantation of Major T. S. Howard, of Washington County.

The large Marion, from London, arrived at Galveston on the 31st ult. with thirty emigrants.

The Galveston Intelligencer has changed hands, and is now edited by Mr. A. J. Yates.

Tao Hon. Geo. H. Flood, formerly our Charge d'Affaires to Texas, died at Galveston on the 6th instant, of congestive fever.

The Centinel has been informed, on the authority of a gentleman from Bexar, that the Commissioners, Messrs. Van Ness, Seguin and Morris, who were sent to meet Gen. Arista, were pursued from the Presidio at Rio Grande by a party of 150 Indians and Mexicans, but fortunately reached the interior without being overtaken.

Capt. Hays was in pursuit of a party of Indians, and expected to overtake them. He has a sufficient force to defeat them. [N. O. Bee, Aug. 14.]

Just Published.

**The Politician's Register for 1841.**—A Compilation of Returns of Votes cast in the several States of the Union, arranged by Counties, alphabetically. By HORACE GREELEY. Sixth Edition, enlarged. For sale at the office of the New-York Tribune, No. 30 Ann-street. Price single copies, 25 cents; or \$12.50 per hundred. Cash.

**Charles O'Malley, the Irish Dragoon.**—The whole of this popular story of Military Life can be had at the office of the NEW WORLD, published in quarto numbers. All persons paying a year's subscription will receive the First Volume and subsequent parts gratis. Back numbers from the commencement of the enlarged Volume, beginning 1st of July, can be obtained. Subscription price \$3 a year. Office 30 Ann-st.

TO THE PUBLIC.

The gross and wilful misstatements published by Francis A. Palmer, would not be heeded by the subscriber were it not that many who may read the same are wholly ignorant of Palmer's avowed intentions. Reduced the fare in my stages, being assured that the public and myself would be benefited by the same. The public have rewarded me for it; hence the "gall and wormwood" of a disappointed extortionist and competitor. He speaks of "plundered slanders" and "assaults like stabl's." As these charges are mere clap-net phrases designed to create a sympathy, without assigning any reason for them, I deem it incompatible with prudence and my own standing to further notice the same.

GEORGE W. ROMAN.

City and County of New-York.—George Roman of said city, being duly sworn, says that about the time Francis A. Palmer commenced running his line of stages, he told deponent, who was then selling tickets at fifteen for a dollar, that deponent would raise the price to twelve a dollar, which deponent refused to do; and Palmer then said that he would increase his number of stages to twenty-five and put his price down to correspond with deponent's, and that deponent must abide by the consequence.

GEORGE W. ROMAN.

Sworn before us this 20th day of August, 1841. FRANCIS O. DORR, Com. of Deeds.

City and County of New-York.—Daniel A. Gale, being sworn, says that about the time of June last, he drove an omnibus for Francis A. Palmer, when Mr. Palmer told him that the omnibus that I drove was built for the express purpose of running opposition to the Waverly Line, and that if I did not drive more opposition to that line he would discharge me, and that he would give Mr. Roman and all to the Waverly Line.

DANIEL A. GALE.

Sworn before me this 20th day of Aug. 1841. FRANCIS O. DORR, Com. of Deeds.

City and County of New-York.—Samuel Hoffman, being sworn, says that he drove an omnibus for Francis A. Palmer, that Palmer told deponent the same as is above related by Daniel A. Gale, that Palmer said the said omnibus were built expressly to run opposition to the Waverly Line.

SAMUEL HOFFMAN.

Sworn before me this 20th day of August, 1841. FRANCIS O. DORR, Com. of Deeds.

City and County of New-York.—George W. Baldwin of said city, being duly sworn, says that about the first of June last he heard Mr. Francis A. Palmer say in his office these words: "I will cut the Waverly Line six months to live after I get my line open."

GEORGE W. BALDWIN.

Sworn before me this 20th day of August, 1841. H. HUNT, Com. of Deeds.

**By Her Majesty's Royal Letters Patent.**—The London and American Water-Proofing Company would inform the American public that they have now completed their Factory, where they are daily rendering woollen cloths, made-up coats, vests, pants, shirts, boots, shoes, hats, &c. &c. impervious to wet, snow, or damp in all cases—confering at the same time on the garment the power of admitting a free escape of perspiration.

All cloth garments, &c. will be delivered in two clear days after they shall have been left at the office, 106 Fulton street, east, (opposite the Dutch Church), where may be seen testimonials as to power of the invention from the first scientific men in Europe. All goods stamped the London and American Water-Proof